

# EXHIBIT 2

**Subject:** VIDEO, AUDIO, PHOTOS & RUSH TRANSCRIPT: GOVERNOR CUOMO ANNOUNCES EVENT, ARTS AND ENTERTAINMENT VENUES CAN REOPEN AT 33 PERCENT CAPACITY BEGINNING APRIL 2  
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GOVERNOR ANDREW M. CUOMO

**VIDEO, AUDIO, PHOTOS & RUSH TRANSCRIPT: GOVERNOR CUOMO ANNOUNCES EVENT, ARTS AND ENTERTAINMENT VENUES CAN REOPEN AT 33 PERCENT CAPACITY BEGINNING APRIL 2**

***Venues Will Be Able to Host Up to 100 People Indoors and Up to 200 People Outdoors; With Testing, Up to 150 People Indoors and Up to 500 People Outdoors; Social Distancing and Face Coverings Required***

***Domestic Travelers No Longer Required to Quarantine or Test-Out Within 90 Days of Full Vaccination; International Travelers Must Continue to Follow CDC Guidance***

***Beginning March 22, Outdoor Residential Gatherings Expanded to 25 People; Non-Residential Social Gatherings Expanded to 100 People Indoors and 200 People Outdoors***

***5,323 Patient Hospitalizations Statewide***

***1,047 Patients in the ICU; 735 Intubated***

***Statewide Positivity Rate is 3.53%  
75 COVID-19 Deaths in New York State Yesterday***

***Governor Cuomo: "We've really made tremendous progress and this is really, really good news. It's not over and we have to continue, but this is very, very good news. Percent of hospitalized is down across the state and that's all good news."***

**Cuomo: "Everybody wants all restrictions gone. Everybody does. Yes, but you also have to be smart about the reopening. In my opinion, some states are going too far too fast and that is a danger because COVID is still a risk and you relax those restrictions too far, you will see the beast rise up again."**

Earlier today, Governor Andrew M. Cuomo announced that beginning April 2, event, arts and entertainment venues can reopen at 33 percent capacity, up to 100 people indoors and up to 200 people outdoors. If all attendees present proof of negative test prior to entry, capacity can increase up to 150 people indoors and up to 500 people outdoors. Social distancing and face coverings will be required by all attendees, as well as strict adherence to all applicable Department of Health guidance.

The Governor also announced domestic travelers to New York State who have been vaccinated no longer have to quarantine or test out within 90 days of their full vaccination.

Governor Cuomo also announced that beginning March 22, residential gatherings of up to 25 people can be held outdoors. Indoor residential gatherings remain capped at 10 people to reduce the continued risk of spread. Also, non-residential social gatherings of up to 100 people can occur indoors and up to 200 people can occur outdoors.

**VIDEO** of today's remarks is available on YouTube [here](#) and in TV quality (h.264, mp4) format [here](#).

**AUDIO** of today's remarks is available [here](#).

**PHOTOS** will be available on the Governor's Flickr [page](#).

*A rush transcript is available below:*

Good afternoon. From my far right, we have Ms. Kelly Cummings, Director of State Operations, to her left, Beth Garvey, special counsel, to my right, Dr. Howard Zucker, Commissioner of the Department of Health, to my left, Melissa DeRosa, Secretary to the Governor, to her left Robert Mujica, Budget Director of the State of New York, MTA Board Member, CUNY Board Member, many hats.

Good news today - overall state positivity rate 3.53, 75 statewide deaths, still after all this time we still have New Yorkers dying, 75, those families are in our thoughts and prayers. Statewide hospitalizations are down 46, ICU down 29, intubations down 12. This is great news.

Remember what happened - we hit the holiday season. We talked about it, Thanksgiving, holiday season, 37 days, Kwanza, Hanukkah, Christmas, more social gatherings, the number would go up, the number did go up, January 4 it peaks, when you think about it, holiday season is over, New Year's Day, New Year's Eve, it peaks and it has continually dropped. But it has dropped to a level below where it was before it started to peak. So, Christmas, a little bit after Thanksgiving, but before we saw any big increase, about 6,600, go up to 8,000, and now

we're down to 5,400. So we've really made tremendous progress and this is really, really good news. It's not over and we have to continue, but this is very, very good news.

Percent of hospitalized is down across the state and that's all good news. New York City is the highest at .04. COVID positivity which plus or minus relates to the hospitalization, Long Island, New York, Mid-Hudson.

What people should get from these slides or these numbers, ask yourself, why is there such a variance within one state? Why is there such a variance in demographic areas that are basically very similar? Why is Central New York, Mid-Hudson, why is Mid-Hudson four times higher than Central New York? These areas, same state, same basic demographics - it is about behavior. It is about behavior. It's about what we do. You take Western New York, 1.9, Western New York for weeks was a trouble area and now it's 1.9 because the community changed. The community adapted. The community heard and this is a function of personal behavior and that's why you're seeing these variances across the state.

You look at New York City, the Bronx is down where it was but 5 percent. It's double Manhattan. Staten Island which was an aberration is now more in line but Staten Island, Bronx, Queens, are all about the same. It is about behavior.

Vaccines, we have big news - just under 5 million vaccines done overall, really good news. We had a White House call yesterday. Johnson & Johnson vaccine has arrived in New York. This is from a practical of view, not a medical of view much easier than the Pfizer and Moderna vaccines. It's one shot. You don't have to come back for a second shot. You don't have to schedule a second shot. It doesn't take a second appointment and there is no cold storage for the Johnson & Johnson. So it's a very big deal.

We are expecting an initial tranche each of about 164,000 doses and I'll explain in a moment what I mean by first tranche.

This first tranche which is large will be administered by radically ramping up the vaccination system. We had the Pfizer and Moderna. We were scaled to the Pfizer and Moderna. On top of that the federal government then adds about 160,000 doses which is a lot of doses for the state, so we needed extra ramp up of actual vaccination operations because of this Johnson & Johnson influx. It's good news but we have to then get it in arms as soon as possible. We've taken a number of measures but among them are mass vaccination sites, Yankee Stadium, Javits, State Fair, they're going to go to 24/7 and we want to thank the staff very much that is going to do that because that is a big deal and these are staff that are stretched to begin with. But they'll go to 24/7. You can make an appointment.

That will only last for the duration of that initial first large tranche of Johnson & Johnson. After that first tranche of Johnson & Johnson the production is actually going to slow and lag and then build back up again. So we have this one-time blip, one-time large tranche, good news, then it will slow, then it will ramp up again, but I'll ask Kelly Cummings who has been doing a great job getting these mass vaccination sites to transfer to 24/7 and ask Kelly if she has any additional comments.

**Kelly Cummings:** Sure. Yankee Stadium will begin operations tomorrow night, Thursday night. The appointments opened this morning. It will be operating with the Johnson & Johnson vaccine during the overnight hours, as the governor said, as the supply lasts. The Javits Center in New York City and the New York State Fairgrounds in Syracuse will begin operations on Friday night and appointments will open tomorrow, Thursday at 8 a.m. for those two sites.

**Governor Cuomo:** How many nights will these sites open 24/7 we're not clear yet. It's going to depend on how many people come in for the vaccine. I know there is a pent-up demand. I believe people will show up in the middle of the night to get the vaccine but we're talking several days to a week in that range and then once we run out of the initial tranche of Johnson & Johnson, then it will basically scale back down. We're also using other mechanisms to get out the additional doses: pharmacies, FQHCs, local health departments and hospitals because remember on top of the Johnson & Johnson, we also have an increase in Pfizer/ Moderna vaccines. The Biden administration has increased the percentage of vaccines about 70 percent since they've taken office. It's really amazing what he has done, but again, the Johnson & Johnson increase is a one-time infusion, then a brief lag in production, then an increase. The overall picture is that President Biden says they'll be a vaccine supply for all Americans by the end of May. Now, that was the — it was the end of July. He is now moving it up to the end of May and that is a very significant increase. Apparently using the Defense Production Act, they have accelerated the production of the vaccine and Johnson & Johnson and Merck have formed a partnership, so Merck is going to help produce a Johnson & Johnson vaccine. Normally, drug companies don't play nice like this, but the President used the Defense Production Act. This is going to dramatically increase the production. This is what's allowing them to move up the schedule until May. The President also says prioritize teachers and he wants the states, and then the local governments directed by the states, to prioritize teachers. I believe President Biden is right. We need children back in classrooms. Children not in classrooms hurts the child, it hurts their socialization, it puts additional stress on the family. Every expert will say it: as soon as you can get children back in the classroom, get them back in the classroom. We have classrooms where the infection rate is much lower than the surrounding community. The teachers need and deserve a right to feel safe. They do, and even before President Biden said this, I said last week local governments must report on how many teachers are vaccinated and coordinate with the school districts to report how many teachers are in the classrooms. In other words, I believe a teacher could say, "I want a vaccine before I go into to the classroom." OK, how many teachers have we vaccinated and how many are in classrooms? For cities, this information is easy to gather because the city is coterminous with the school district. Other areas, you'll have school districts overlapping counties, so they'll have to call the school districts and get the data. But this is President Biden's point. He wants a prioritization of vaccination for teachers because he wants teachers in the classroom. Now, you have a lot of prioritizations going on in this vaccination process. Nursing home residents were prioritized. Nursing home staff was prioritized. Hospital staff was prioritized, police, teachers, school teachers, so we have a long priority list but I think the President is right. This is about getting kids back into the classroom.

Overall, COVID rates are down as we just went through. Vaccine rates are up, so we continue the smart reopening, right? The graphic that nobody likes. What we have done which has been very smart from day one: report, reopen based on science and data. "I feel this, I feel

that." Feelings are nice; facts are better. And we have been calibrating by the science and the data.

On the COVID emergency powers, we worked with the legislature. We have an agreement on a bill, where the legislature can repeal any Executive Order that I issue with over 50 percent, both houses. The COVID emergency powers continue past April 30. When we first did this, we thought the pandemic would be over by April 30. This is a year ago — we said about a year. At that time, it was implausible to think it was going to go beyond the year. It's gone beyond the year and it's not going to end by April 30, so they're going to extend, the legislation extends the emergency power to the point where the federal government declares an end to the pandemic, which the federal government does, it controls funds etc. We have more time in this situation, by and large. We'll give the legislature notice of any changes that we're making five days prior to effect. if it is an emergency change as determined By Department of Health, then it will be a shorter period of time. I don't remember exactly what it was. Do you remember what it was, Beth?

**Beth Garvey:** [inaudible] We will give notice as soon as possible.

**Governor Cuomo:** OK, and during the five days, there will be legislative consultation and on the change orders that we make during the five days. And again, whatever order I put in place, the legislature can repeal it in 24 hours or whenever they choose and that's always been the way.

Travel guidance: domestic travelers are no longer required to quarantine or test out within the 90 days of full vaccination. International travelers, you have to continue to follow the CDC quarantine guidelines. Gathering limits, we're going to change and let me go to Rob, who's done a lot of work on this.

**Rob Mujica:** So, beginning March 22 for residential gatherings, the indoor limit remains the same. The outdoor limit goes from 10 to 25 outdoor, which is consistent with some of the states around us. The social gathering limit for public spaces on indoor events goes from 50 to 100, and then for outdoor events, it will go from 50 to 200, so all of those will still also require social distancing as well as mask requirements. And then beginning on April 2, we started up with opening large event spaces, which was 10,000 or more for arenas starting with the Buffalo Bills. Subsequent to that, last night, the Rangers had a couple thousand people at their game. That's last Saturday, also held a basketball game using those guidelines that we got from the Buffalo Bills. So, following from that for event spaces that are less than 10,000 — those can begin reopening at 33 percent capacity with up to 100 people indoors and again 200 people outdoors. Again, there still will be guidance for social distancing and masks. If we want to go above those limits, you can go up to 150 people indoor with testing requirements for, going from 100 to 150, and then for outdoor events, up to 500 people outdoors with testing. And again, social distancing and face covering will be required by all the attendees.

**Governor Cuomo:** Rob, can you please mention the Empire Pass program?

**Robert Mujica:** So on the Empire Pass program, so we have an app that we have been working with IBM on that app, when you get tested, if with your consent the results of that test

can be reported automatically to the app and then you can then show proof of a negative test upon entrance to any of these events that require testing. That app has been tested right now, both at Barclays and Madison Square Garden, and those tests have been successful. So once we get the approvals, the app will be available for download on both platforms, on Google, on Apple platforms, people download to their smartphones. And that will allow someone to show the result of their test, whether it be a PCR test, which we valid for up to 72 hours, or rapid test, which will be valid for six hours. In addition, thought, if you don't want to use an app, you will be able to download a paper result of your test that you can then print out and use that to demonstrate your negative test. So again, this is all tested, started with the Bills games, it has been tested at two events recently, the most recent one as early as last night, and that will be available and we'll start rolling that out, again, beginning within a week, and you can use that to go to some of these events when we want to get to the larger numbers, like I said, to go to 250 for indoor events, or up to 500 people for outdoor events.

**Governor Cuomo:** Great. Thank you very much, Robert. Foundation to reopening, we talk a lot about reopening, and the values, and getting the economy back. Foundation to reopening is public safety. People don't think of it that way, but a community is not going to thrive if people don't feel safe. After the George Floyd murder, we have had localities working on reforming their public safety plans. Mr. Floyd's death was really just a point where there was an explosion of frustration, and we said to every local government we're not telling you what to do, but if you have a public safety department, you have to put everyone at the table, have a collaborative come up with a reform public safety plan.

Cities are doing fantastic work, and creative work. But, not all of them are doing it. If they don't do it and we get to the budget, then they're going to be significant sanctions on the city. Please, you have 29 days, I know it's a hard topic, I know people would rather stay away from it, but public safety is one of the top priorities, for any mayor, for any county executive, any supervisor, public safety's a top priority. Yes it's hard, yes it's sticky, yes it's controversial, but, it's also the job.

The light at the end of the tunnel is in sight, but we can't stop driving now. We've had critical moments all through this period, but this is one of the most critical moments, in my opinion. We have a number of things going on. We have a massive ramp-up of the vaccine operation by May. When President Biden says, oh by the way, I've found a way to produce million more doses, that's great news. But, now you have to ramp up a vaccination operation that goes from the end of July to May, in a very large state, which is what New York is. That's a challenge. The variants are still here. Don't think that there isn't an ever-present danger. And these variants are not just here. The variants are created all the time. The virus mutates all the time. And it's very possible that there's a mutation to the virus that is going to require a different type of booster shot. That's why this is so important to get all those vaccines done now, because the vaccines can protect you from the variant. But that is a lingering danger we're dealing with. And then you have the New York recovery, rebuilding, and finances. You know, when you deal with a storm, the first step is the emergency response to the storm. There's a hurricane, keep everybody safe, get people in out of the cold. Second step is, the water recedes and now you see the damage that you have to rebuild. The damage to this state, to this city is extraordinary, and we're going to have a lot of work to do. And this is all happening at the same time. Environmentally, we can't relax too soon. I get it - COVID fatigue.

Everybody wants all restrictions gone. Everybody does. Yes, but you also have to be smart about the reopening. In my opinion, some states are going too far too fast and that is a danger because COVID is still a risk and you relax those restrictions too far, you will see the beast rise up again.

Smart. New York tough, smart, united, discipline, loving.

Let me make an unrelated announcement if I can. I want to address the recent allegations that have been made against me. As you probably know, the Attorney General is doing an independent review and I will fully cooperate with that review. Now, the lawyers say I shouldn't say anything when you have a pending review until that review is over. I understand that, I'm a lawyer too, but I want New Yorkers to hear from me directly on this.

First, I fully support a woman's right to come forward and I think it should be encouraged in every way. I now understand that I acted in a way that made people feel uncomfortable. It was unintentional and I truly and deeply apologize for it. I feel awful about it and frankly, I'm embarrassed by it, and that's not easy to say but that's the truth. But this is what I want you to know, and I want you to know this from me directly - I never touched anyone inappropriately. I never touched anyone inappropriately. I never knew at the time that i was making anyone feel uncomfortable. I never knew at the time that I was making anyone feel uncomfortable. I certainly never, ever meant to offend anyone or hurt anyone or cause anyone any pain. That is the last thing I would ever want to do.

I ask the people of this state to wait for the facts from the Attorney General's report before forming an opinion. Get the facts please before forming an opinion and the Attorney General is doing that review. I will fully cooperate with it and then you will have the facts and make a decision when you know the facts.

I also want you to know that, I have learned from what has been an incredibly difficult situation for me as well as other people, and I've learned an important lesson. I'm sorry. I'm sorry for whatever pain I caused anyone. I never intended it um and i will be the better for this experience. Thank you.

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